

\*E-Filed 2/24/09\*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ELAINE L. CHAO, Secretary of Labor  
United States Department of Labor

Petitioner,

v.

BLUE WAVE HOLDINGS, L.L.C. a corporation;  
and MONSTER MAGIC, L.L.C., a corporation,

Respondents.

**JF**  
CASE NO. **80 215 MISC**

ORDER TO SHOW CAUSE

(Regarding Enforcement  
of Administrative  
Subpoenas *Duces Tecum*)

Petitioner, ELAINE L. CHAO, Secretary of Labor, United States Department of Labor, has, pursuant to Section 9 of the Fair Labor Standards Act of 1938, as amended, ("FLSA"), 29 U.S.C. 209, applied to this Court for an Order requiring Respondents Blue Wave Holdings, L.L.C., a corporation, and Monster Magic, L.L.C., a corporation, to appear (by representative) and produce the records, papers, and documents set forth in an administrative subpoena *duces tecum* issued by the Regional Administrator, Wage and Hour Division, Employment Standards Administration, United States Department of Labor, and duly served upon the Respondents.

Having considered the matters set forth in the Secretary's pleadings herein, it is hereby

ORDERED that Respondents, Blue Wave Holdings, L.L.C. and Monster Magic, L.L.C., appear and SHOW CAUSE, if any there be, why

Order to Show Cause


1 the Respondents should not be ordered by this Court to comply with  
2 the administrative subpoenas *duces tecum* issued to the Respondents  
3 by the Regional Administrator, Wage and Hour Division, Employment  
4 Standards Administration, United States Department of Labor, under  
5 the date of October 29, 2007 (the originals of which are Exhibits 1  
6 and 2 to the "Declaration of Regional Administrator George Friday  
7 in Support of the Petition for the Enforcement of an Administrative  
8 Subpoena *Duces Tecum*;" said declaration being Exhibit A to the  
9 within petition); and

10 IT IS FURTHER ORDERED that Respondents serve (and file with the  
11 Clerk of this Court) no later than March 23, 2009  
12 a response to said Petition, specifically admitting or denying each  
13 allegation of said Petition and setting forth the cause, if any  
14 there be, why said Petition should not be granted; and

15 IT IS FURTHER ORDERED that Respondents, Blue Wave Holdings,  
16 L.L.C., and Monster Magic, L.L.C., appear at a hearing before the  
17 HONORABLE Jeremy Fogel, United States District Judge of  
18 the Court, to be held on said Petition on the 3rd day of  
19 April, 2009 at nine o'clock a.m.; and

20 IT IS FURTHER ORDERED that the Secretary serve, or cause to be  
21 served, on Respondents, Blue Wave Holdings, L.L.C. and Monster  
22 Magic, L.L.C.. a copy of this Order To Show Cause and a copy of the  
23 Petition (and supporting documents) filed herein.

24 DATED this 23rd day of February, 2009 .

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26  
27 JEREMY FOGEL  
28 UNITED STATES DISTRICT JUDGE